

REMARKS/ARGUMENTS:

The office action dated August 21, 2007 concluded as follows:

- Claims 1-22 are rejected under 35 USC 101 for non-statutory subject matter;
- Claims 1-6, 15-18, 20-23 and 32-33 are rejected under 35 USC 102(e) as anticipated by Ohmura (US 6,937,732);
- Claims 12-14 and 19 are rejected under 35 USC 103(a) as obvious over Ohmura in view of Kim (US 6,879,843); and
- Claims 7-11, 24-31 and 34-36 recite allowable subject matter and are objected for dependence from a rejected base claim.

These are addressed seriatim. Claims 1-11 are amended in their preamble to recite a computer readable storage media, which is statutory and not software per se. Support is at para [00024] and ref # 56 of Figure 2.

Claim 1 is amended with subject matter of claim 15, but more particularized to recite that the MS is not in communication with the separate device. Support is at claim 15; para [0008] where “coupled to a network” reads as coupled to the separate device; and particularly at para [00026] “regardless of presence of a link 30, 40 to other components”. “Location” of original claim 1 is changed to ‘separate device’ for better readability given the amendment noted immediately above, and itself is not narrowing.

The detailed remarks accompanying the rejection of claims 1 and 15 did not specifically address the clause of original claim 15: “regardless of whether the host device is coupled to the network”. This is a distinction over Ohmura that the amendment to claims 1 and 15 makes more particular.

Ohmura is directed to a car-mounted audio apparatus 100 that uses short distance data communication to communicate with one or more portable audio apparatuses 200a, 200b so as to reproduce and output music data in real time (abstract). Downloaded music can be stored in a memory of the car-mounted apparatus (col. 17 lines 41-45), whereas operations on music stored in the portable apparatus 200a can be carried out via switches 107 of the car-mounted apparatus 100 (col. 21 lines 11-18). The user is able to select as the audio source for the car-mounted apparatus 100 those portable apparatuses 200a, 200b that have a

communication connection with the car-mounted apparatus 100 (col. 21 lines 31-38). In all instances seen within Ohmura, music stored on the portable apparatus 200a may be played through speakers 28 of the car-mounted apparatus 100 only when there is a radio connection between the two (col. 22 lines 19-41). Ohmura discloses Bluetooth and a master-slave communication system as the specific radio connection (col. 9 lines 39-51).

Clearly since Ohmura is concerned with the playing of music through speakers of a vehicle, it requires an active communication in order to do so for content that is stored on the external apparatus but not locally stored within a vehicle memory. The focus of claim 1 (for example) is different; different identifiers that indicate whether the underlying file they identify is stored on a portable device at which the identifiers are displayed, or whether the underlying files are stored elsewhere. Claim 1 is amended to clarify 1) that the second identifier, which indicates that a (second) media file associated with the second identifier is not stored at the mobile station MS as well as that it is stored at a separate device other than the MS, and 2) that the program of claim 1 displays that second identifier (as well as the first identifier) regardless of whether the MS is in communication with the separate device. It is part 2) that most clearly distinguishes over Ohmura because absent an active connection (e.g., Bluetooth), the car-mounted apparatus 100 of Ohmura has no knowledge of the contents of the external apparatus 200 except for the case where those contents were transferred to the memory of the car-mounted apparatus 100, a situation also beyond claim 1 because then the relevant identifier would identify a music file stored in the local memory of the Ohmura car-mounted apparatus.

In Ohmura, the display at the car-mounted apparatus is different depending on whether or not the external apparatus(es) 200a, 200b is/are connected over the short range radio link to the car-mounted apparatus 100. This is exactly opposite the 'regardless' clause of claim 1. Kim is not seen to provide teachings capable of curing this shortfall of Ohmura, even if such a modification could be made to Ohmura without changing its principle of operation. Further, Kim is not cited for relevance to this claim element.

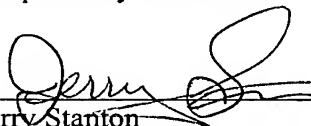
Claim 15 distinguishes over Ohmura for the same reason as claim 1 and both are seen to be novel and non-obvious over Ohmura alone or in combination with any other art of record.

Claim 23 is canceled and allowable claim 24 is rewritten to independent form. Dependency of claims 32 and 34 are changed in view of those changes to claims 23-24. The preamble of claims 24-36 is changed to recite "portable device". Claims 15 (portable host device) and 23 (portable device) distinguish over Ohmura for the additional reason that the Ohmura external apparatuses 200a, 200b are not seen as displaying what is within either the other external apparatus 200b, 200a or the memory of the car-mounted apparatus 100. To the extent the rejection relied on the Ohmura car-mounted apparatus 100 reading on a 'mobile station', these claims are seen as novel and non-obvious over Ohmura since Ohmura makes no change to any display of the external apparatuses 200a, 200b and Ohmura's car-mounted apparatus cannot be considered portable.

Added claims 37 and 38 recite respectively in means plus function form and method form, and recite the subject matter of claim 24 as amended herein. No new matter is added.

All claims are seen to be in condition for allowance. The Examiner is respectfully requested to review the cited art in view of the above amendments and remarks, to withdraw the rejections and to pass claims 1-22 and 24-38 to issue. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

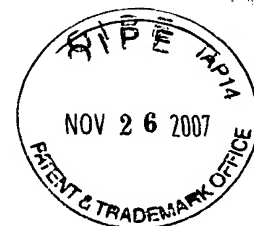
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nov. 20, 2007
Date

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